

11. The wireless display system of claim 9, wherein said occurrence includes a specified key being entered or a predetermined screen being displayed.

12. The wireless display system of claim 1, wherein said wireless display includes a processing unit for converting data received from a personal computer into information identifying said personal computer.--

REMARKS

The indication of allowable subject matter in claims 3 and 8, as is the Examiner's detailed and clearly written Office Action, is acknowledged and appreciated. For the following reasons, it is respectfully submitted that all claims are in condition for allowance.

Claims 1, 2 and 4-7 stand rejected under 35 U.S.C. § 103 as being unpatentable over Panasik in view of Chan et al. ("Chan"). This rejection is respectfully traversed for the following reasons.

A. Claim 1

The Examiner admits that Panasik does not disclose "that the display unit of the wireless display ... displays screens of some of the plural personal computers." The Examiner therefore relies on Chan to modify Panasik for "monitoring plural computer users or students to thereby prevent them from making unnecessary errors and to help the teacher in determining whether or not the users or the students are grasping the principles as they are being taught."

It is respectfully submitted that the proposed combination is improper because the Examiner has not provided the requisite *objective* evidence *from the prior art* that "suggests the desirability" of the proposed combination. The Examiner asserts that the proffered motivation for making the combination comes from col. 1, lines 26-29 of Chan. However, this portion of Chan merely states a need for monitoring Internet users to prevent the users from accessing inappropriate or undesired materials on the Internet. It is respectfully submitted that such monitoring of Internet usage is unrelated to a teacher - student computer link taught by Panasik.

As disclosed by Panasik, the communication from the user to the teacher involves uploading answers to problem sets so that student *responses* can be reviewed by the teacher as class is conducted (*see* col. 3, lines 60-62), rather than reviewing the students' computer screen. Panasik describes the capability for the teacher to download problems to the students and access the answers that the students *upload* to the teacher (*see* col. 3, lines 56-59). As such, the functional relationship between the computers as disclosed by Panasik corresponds to sending and receiving e-mail rather than monitoring the actual student computer screens. That is, the problem sets/answers are compiled in the respective computers and stored as a file document, and then downloaded to the receiving computer for viewing thereon *after receipt*. Such an operation is NOT equivalent to viewing the actual computer display of the student computers. Indeed, Panasik does not suggest that the teacher can access the students' computer screen without authorization. Instead, the teacher is capable only of retrieving information which the student chooses to upload to the teacher.

Moreover, absent Applicants' specification, there is no *disclosed* need or desire for the teacher to have access to the students' displays *per se*. Indeed, the purpose of Panasik is not related to the *functionality* between the teacher - student computer link. Rather, Panasik is directed to the *structural* layout of the computers to optimize transmission/reception so as to reduce power requirements (*see, e.g., col. 2*). Accordingly, absent hindsight reasoning, one of ordinary skill would not incorporate the monitoring layout of Chan with the simple communication layout of Panasik because there is no restricted usage in the layout of Panasik, whereas Chan suggests a monitoring system for preventing restricted Internet usage rather than for an educational tool. Other than Applicants' specification, there is no logical bridge connecting the teachings of Panasik and Chan. There simply is no objective evidence from the prior art that suggests a need for the teacher to monitor the students' actual computer screen for restricting usage thereof (indeed, Panasik refers only to student computers which display input from the keyboard rather than from an external source such as the Internet).

It should further be noted that the Internet monitoring layout of Chan involves open connections to the Internet which are *remotely* accessed by the monitor units, whereas the layout of Panasik is expressly disclosed as a closed connection by *closely situated computers* so as to reduce the effective distance between computers (*see last three lines of Abstract*). It follows that remotely monitoring snap-shots of displayed Internet web pages without authorization as taught in Chan is not commensurate with receiving uploaded files, from students in the same room, which are displayed on the teacher's screen after being voluntarily uploaded by the student and subsequently opened by the teacher.

It is therefore respectfully submitted that the Examiner's motivation for making the combination is based solely on improper hindsight reasoning, whereby the Examiner selected bits and pieces of the cited prior art and used only Applicants' specification as a guide to reconstruct the claimed invention. As is well known in patent law, a *prima facie* showing of obviousness can only be established if the prior art "suggests the desirability" of the proposed combination using *objective* evidence. The Examiner is directed to MPEP § 2143.01 under the subsection entitled "Fact that References Can Be Combined or Modified is Not Sufficient to Establish *Prima Facie* Obviousness", which sets forth the applicable standard:

The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. (*In re Mills*, 16 USPQ2d 1430 (Fed. Cir. 1990)).

In the instant case, even assuming *arguendo* that Panasik can be modified by Chan, it is submitted that the "mere fact that [Panasik and Chan] can be combined ... does not render the resultant combination obvious" because nowhere does the *prior art* "suggest the desirability of the combination" as set forth by the Examiner.

The Examiner is further directed to MPEP § 2143.01 under the subsection entitled "Fact that the Claimed Invention is Within the Capabilities of One of Ordinary Skill in the Art is Not Sufficient by Itself to Establish *Prima Facie* Obviousness", which sets forth the applicable standard:

A statement that modifications of the prior art to meet the claimed invention would have been [obvious] because the references relied upon teach that all aspects of the claimed invention were *individually* known in the art is *not* sufficient to establish a *prima facie* case of obviousness without some objective reason to combine the teachings of the references. (citing *Ex parte Levengood*, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993)).

In the instant case, even assuming *arguendo* that Panasik and Chan "teach that all aspects of the claimed invention [are] individually known in the art", it is submitted that such a conclusion "is not sufficient to establish a *prima facie* case of obviousness" because there is no *objective* reason on the record to combine the teachings of the cited prior art.

At best, the Examiner has attempted to show only that the elements of the claimed invention are *individually* known without providing a *prima facie* showing of obviousness that the *combination* of elements recited in the claims is known or suggested in the art. For all the foregoing reasons, it is submitted that the proposed combination of Panasik in view of Chan is improper.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claim 1 is patentable for the reasons set forth above, it is respectfully submitted that dependent claims 2 and 4-7 which depend on claim 1 are also patentable. In addition, it is respectfully submitted that the dependent claims are patentable based on their own merits by adding novel and non-obvious features to the combination.

B. Claim 2

With respect to claim 2, for the same reasons discussed above regarding claim 1, it is respectfully submitted that there is no disclosed need or desire for a teacher in the system of Panasik to simultaneously view a plurality of student screens. Further, even assuming *arguendo* proper, it is respectfully submitted that the proposed combination does not disclose claim 2. The Examiner alleges that Chan discloses "displaying of a

plurality of display access units concurrently" with reference to col. 2, lines 31-37.

However, the relied on portion of Chan discloses only that the "monitor unit may *monitor* a plurality of display access units concurrently" (emphasis added). It is respectfully submitted that "monitor" does not necessitate "display."

For example, the monitor unit of Chan can concurrently "monitor" plural computers by simply being operationally connected to them while storing data from the plural computers for review at a later date (e.g., retrieving and storing the accessed URL's for each of the connected computers). Such concurrent monitoring does NOT necessitate that the results of monitoring are always displayed, let alone simultaneously displayed. It should also be noted that Chan does not attribute the "concurrent" monitoring specifically to viewing snapshots, so that the "concurrent" monitoring could be attributed only to URL retrieval which are not displayed. Nevertheless, even assuming snap-shots are concurrently retrieved, the monitoring unit of Chan can concurrently receive and store in queue snapshots from different computers so as to "monitor" plural computers concurrently, while actually displaying them one at a time rather than simultaneously (e.g., per request from a user who wants to view the snap-shot of only one computer).

The Examiner further alleges that the display of the proposed combination would inherently be divided into different sections. However, rather than dividing the display unit, the snapshots can be transmitted as overlaid images so that the display unit need not be divided, whereby one snap-shot is displayed while others are minimized in the system tray.

It should be noted that "inherency may not be established by probabilities or possibilities", *Scaltech Inc. v. Retec/Tetra*, 178 F.3d 1378 (Fed. Cir. 1999).

C. Claim 4

With respect to claim 4, the Examiner alleges that the ability for communication between the teacher and students as disclosed in Panasik reads on the claimed "input function." However, claim 4 recites in pertinent part that "the plural personal computers are *operated* ... by using the input function of the wireless display" (emphasis added; *see, e.g.,* page 7, lines 2-15 of Applicants' specification). In one exemplary embodiment, the wireless display can operate the plural personal computers by manipulating, for example, the keyboard/mouse of the wireless display. Accordingly, using a teacher-student example, the teacher can operate a students' computer by typing on his own keyboard the answer to a problem which would be displayed directly on the students' display. In contrast, Panasik discloses simple *communication* between the student and teacher in the form of downloading problem sets/answers, etc.. Panasik does not suggest that the teacher can *operate* the students' computer from his own computer.

The Examiner is directed to MPEP § 2143.03 under the section entitled "All Claim Limitations Must Be Taught or Suggested", which sets forth the applicable standard:

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. (citing *In re Royka*, 180 USPQ 580 (CCPA 1974)).

In the instant case, the pending rejection does not "establish *prima facie* obviousness of [the] claimed invention" as recited in claims 2 and 4-7 (claims 5-7 directly or indirectly dependent on claim 4) because the proposed combination fails the "all the claim limitations" standard required under § 103.

Moreover, with respect to claim 7, the Examiner's allegation that student response must be displayed simultaneously is respectfully traversed for the same reasons discussed above regarding claim 2. Namely, there is no suggestion that the teacher needs to monitor student computer displays, and neither Panasik or Chan (alone or in combination) disclose simultaneous display. Furthermore, there is no disclosed suggestion, need or desire for plural student responses to be uploaded simultaneously, let alone displayed simultaneously. In fact, even if student responses were uploaded simultaneously, the teacher would presumably open them sequentially so as to grade the answers separately so that the answers would not be displayed simultaneously on the teacher's computer. There would be no purpose to display the answers from each student simultaneously as the teacher presumably would review the individual student's answers one at a time.

Based on all the foregoing, it is submitted that claims 1, 2 and 4-7 are patentable over Panasik in view of Chan. Accordingly, it is respectfully requested that the rejection of claims 1, 2 and 4-7 under 35 U.S.C. § 103 be withdrawn.

NEW CLAIMS

New claims 9-12 are submitted to be patentable based on their own merits by adding novel and non-obvious features to the combination. Support for new claims 9-11 and 12 can be found, for example, on page 5, line 25 - page 6, line 1 and page 3, line 27- page 4, lines 1-4, respectively, of Applicants' specification. None of the cited prior art disclose or suggest the features recited in claims 9-12 in the combination.


CONCLUSION

Having fully and completely responded to the Office Action, Applicants submit that all of the claims are now in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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